

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
MONTGOMERY DIVISION**

**JEROME W. GRIFFIN, for
himself and all others similarly
situated,**

Plaintiffs,

V.

**ALABAMA GAS
CORPORATION,**

Defendant.

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**CIVIL ACTION NO.
2:06CV365-MEF**

CLASS ACTION

REPORT OF PARTIES' PLANNING MEETING

1. Pursuant to Fed. R. Civ. P. 26(f), the parties held a planning meeting by telephone on June 19, 2006. This meeting was attended by:

Andrew C. Allen, Esq. for plaintiff Jerome W. Griffin.

Abdul K. Kallon, Esq. for defendant Alabama Gas Corporation.

2. General claims and defenses of both parties:

a. Plaintiff, on behalf of himself and similarly situated employees, claims that Defendant violated Title VII of the Civil Rights Act, 42 U.S.C. § 1983 and 42 U.S.C., § 1981 by denying job promotions and salary increases to African-American employees.

b. Defendant denies the allegations in Plaintiff's complaint and asserts the defenses raised in its answer.

3. Pre-Discovery Disclosures.

The parties have not exchanged the information required by Local Rule 26.1(a)(1). The parties have agreed to exchange the information required by July 20, 2006.

3. Discovery Plan.

The parties jointly propose to the Court the following discovery plan:

Discovery will be needed on the following subjects: Plaintiff's claims and all defenses asserted by Defendant.

All discovery commenced in time to be completed by August 1, 2007.

Maximum of 40 interrogatories by each party to any other party. Responses due 30 days after service.

Maximum of 40 requests for production of documents by each party to any other party. Responses due 30 days after service.

Maximum of 40 requests for admission by each party to any other party. Responses due 30 days after service.

Maximum of 20 depositions by Plaintiff and 20 by Defendant.

Each deposition limited to maximum of 7 hours, exclusive of breaks, unless extended by agreement of parties or ordered by the Court.

Class Certification Expert Reports relating to class certification issues shall be due:

from plaintiff by April 1, 2007.

from defendant by May 1, 2007.

Supplementations under Rule 26(e) due as soon as is practicable but no later than 30 days prior to the discovery cut-off or five days after discovery of the information at issue, whichever is later.

Given the complex nature of this litigation, it is impossible for counsel to fully anticipate the scope of discovery necessary to prepare the case for class certification and trial. To the extent that a party requires additional discovery beyond the limits contemplated in this report, both parties propose that they be allowed, as the need arises and for good cause shown, to come before the Court to request modification of these discovery limitations.

4. Other Items.

The parties do not request a conference with the Court before entry of the scheduling order.

Plaintiff should be allowed until December 20, 2006 to join additional parties and to amend the pleadings.

Defendant should be allowed until January 20, 2007 to join additional parties and to amend the pleadings.

All potentially dispositive motions should be filed by September 1, 2007.

Plaintiff should file his Motion for Class Certification and supporting materials (including briefs, affidavits and expert reports) by June 15, 2007. Response by Defendant (including briefs, affidavits, and expert reports) should be filed by July 15, 2007. Plaintiff's reply brief should be filed by July 29, 2007.

Settlement cannot be evaluated prior to initial discovery.

The usefulness of Alternative Dispute Resolution procedures cannot be evaluated until after the completion of some discovery.

The parties request a final pretrial conference.

Final lists of witnesses and exhibits under Rule 26(a)(3) should be due
from plaintiff by 30 days before trial.
from defendant by 30 days before trial.

Parties should have 15 days after service of final lists of witnesses and exhibits to list objections under Rule 26(a)(3).

The case should be ready for trial during the December 2007 Montgomery jury trial term, and at this time it is undetermined as to the expected length of said trial.

Date: _____

s/ Andrew C. Allen

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